IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.167 OF 2007

Sharad Vasant Kakade and anr. ...Applicants

vs.

Sou. Shalini Shamrao Kulkarni & Ors. ...Respondents

Mr.Surel Shah for the Applicants
Mr.G.S.Godbole with Ms Manjari for Respondent No.3.

CORAM: A.S.OKA,J.
DATE : MAY 3,2007.

P.C.:

1. The learned Advocate for the revision applicants on instructions of the revision applicants states that they are not pressing the revision application on merits. He, however, prays that longer time to vacate may be granted. Considering the fact that the Revision Applicants are occupying the suit premises for last several years, they will need some time to acquire another accommodation. The learned Counsel for the landlord has submitted that a reasonable time to vacate the suit premises may be granted.

2. Considering the facts and circumstances of the case, time of one year to vacate the suit premises deserves to be granted to the Applicants. As the Applicants are not pressing this Application on merits, decree for possession will attain finality and hence, there is no prejudice to the landlord if time of one year to vacate is granted.

3. Hence, I pass the following order :

i) Revision Application is dismissed as not pressed.

ii) Notwithstanding the dismissal of the Revision Application, decree for possession shall not be executed till 10th May 2008 subject to the Revision Applicants and all adult members of their family, if any, filing usual undertaking in this Court to vacate the suit premises and hand over possession to the landlord within the time granted by this Court. Undertaking will be filed on or before 8th June 2007 with a copy thereof to the Advocate for the Respondent No.3.

iii) If undertaking is not filed on or before 8th June 2007, decree for possession will become executable.

iv)Parties to act upon an authenticated copy of this order.

JUDGE